



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,119	02/02/2004	Nagesh Kadaba	018360/269884	9349
826	7590	10/18/2005	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000				LE, TOAN M
ART UNIT		PAPER NUMBER		
		2863		

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EZ

Office Action Summary	Application No.	Applicant(s)
	10/770,119	KADABA, NAGESH
	Examiner Toan M. Le	Art Unit 2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 August 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22,26,28-32,43-46,49-63,67,69-74,86,88 and 89 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-22,26,28-32,43-46,49-63,67,69-74,86,88 and 89 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 02 February 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>8/5/05</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 8-22, 26, 28-32, 43-44, 49-63, 67, 69-74, 86, and 88-89 are rejected under 35 U.S.C. 102(e) as being anticipated by Wood (US Pub. No. 2003/0146836 A1).

Referring to claim 1, Wood discloses a system for transporting a product via a carrier, the system comprising:

an environmental sensor physically associated with a product, the environmental sensor configured to record product environment data during transport of the product through the carrier's logistics network (page 1, paragraph [0008]; pages 4-5, paragraphs [0078], [0079], [0080], and [0083]; figure 5);

at least one scanner for reading the product environment data from the sensor at one or more locations within the carrier's logistics network (page 5, paragraph [0093]; figures 6-7); and

a computer connected to communicate with the at least one scanner, the computer configured for:

determining, based on the product environment data, whether the environmental condition of the product has transcended a limit during transport;

routing the product through the carrier's logistics network to a first receiver so long as the determining has not established that the environmental condition has transcended the limit; and rerouting the product through the carrier's logistics network to a second receiver, different from the first receiver, if the determining established that the environmental condition has transcended the limit (page 5, paragraphs [0089] and [0093]; figures 6-7).

As to claim 2, Wood discloses a system for transporting a product via a carrier, wherein the rerouting comprises generating with the computer an updated transporting instruction that the computer transmit to at least one point within the carrier's logistics network for performance of transporting the product to the second receiver (page 5, paragraphs [0089] and [0093]).

Referring to claim 3, Wood discloses a system for transporting a product via a carrier, wherein the sensor stores shipping address data for the first receiver and the second receiver (page 1, paragraph [0008]; page 5, paragraph [0089]).

As to claim 4, Wood discloses a system for transporting a product via a carrier, wherein the scanner is further used for scanning identification data associated with the product (page 1, paragraph [0008]; page 5, paragraph [0089]).

Referring to claim 5, Wood discloses a system for transporting a product via a carrier, wherein the sensor generates time data and stores product environment data in association with the time data to indicate the time of sensing the environment condition (page 1, paragraph [0008]; page 5, paragraph [0093]).

As to claim 8, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises a radio-frequency identification (RFID) sensor tag, and the scanner transmits and receives radio frequency signals from the tag in the performance of scanning the

sensor (page 1, paragraphs [0007] and [0009]; page 2, paragraphs [0014] and [0016]; page 4, paragraph [0078]).

Referring to claim 9, Wood discloses a system for transporting a product via a carrier, wherein the sensor is placed inside a container used for holding the product during transport (page 4, paragraph [0075]; figure 5).

As to claim 10, Wood discloses a system for transporting a product via a carrier, wherein the sensor is affixed to an outer surface of a container (page 4, paragraph [0074]; figure 4).

Referring to claim 11, Wood discloses a system for transporting a product via a carrier, wherein the sensor is positioned on the product (page 4, paragraph [0073]; figure 3).

As to claim 12, Wood discloses a system for transporting a product via a carrier, wherein the environmental condition sensed by the sensor to generate the product environment data includes at least one of temperature, pressure, vacuum, vibration, shock, humidity, moisture, light, air, and a chemical (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 13, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises a temperature sensor, and the product environment data generated by the sensor comprises at least one measurement of a temperature level to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 14, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises a pressure sensor, and the product environment data generated by the pressure sensor comprises at least one measurement of a pressure level to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 15, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises a vacuum sensor, and the product environment data generated by the vacuum sensor comprises at least one measurement of a vacuum level to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 16, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises a light sensor, and the product environment data generated by the light sensor comprises at least one measurement of an amount of light to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 17, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises a chemical sensor, and the product environment data generated by the chemical sensor comprises at least one measurement of an amount of a chemical to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 18, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises an air sensor, and the product environment data generated by the air sensor comprises at least one measurement of an amount of air to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 19, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises a vibration sensor, and the product environment data generated by the vibration sensor comprises at least one measurement of an amount of vibration to which the

product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 20, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises a shock sensor, and the product environment data generated by the shock sensor comprises at least one measurement of an amount of shock to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 21, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises a humidity sensor, and the product environment data generated by the humidity sensor comprises at least one measurement of an amount of humidity to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 22, Wood discloses a system for transporting a product via a carrier, wherein the sensor comprises a moisture sensor, and the product environment data generated by the moisture sensor comprises at least one measurement of an amount of moisture to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 26, Wood discloses a system for transporting a product via a carrier, wherein the computer is further configured for:

receiving the product environment data in association with product identification data (page 1, paragraph [0008]);

storing the product environment data in association with the product identification data in a database 690 (figure 7);

receiving tracking data in association with the product identification data, the tracking data identifying when and where at least one scanning of the product was performed within the carrier's logistics network (page 5, paragraphs [0089] and [0093]); and

storing the tracking data in association with the product identification data and the product environment data in the database (page 5, paragraphs [0083], [0089] and [0093]).

As to claim 28, Wood discloses a system for transporting a product via a carrier, wherein the product identification data comprises a tracking identifier for uniquely identifying the product within the carrier's logistics network (page 1, paragraph [0008]).

Referring to claim 29, Wood discloses a method of transporting a product via a carrier, the method comprising:

physically associating an environmental sensor with the product (page 1, paragraph [0008]);

reading product environment data from the environmental sensor at a location within the carrier's logistics network, the product environment data having been recorded by the environmental sensor during transport (page 5, paragraphs [0089] and [0093]; figures 6-7);

determining, based on the product environment data, whether the environmental condition of the product has transcended a limit during transport;

routing the product through the carrier's logistics network to a first receiver so long as the determining has not established that the environmental condition has transcended the limit; and

rerouting the product through the carrier's logistics network to a second receiver, different from the first receiver, if the determining establishes that the environmental condition has transcended the limit (page 5, paragraphs [0089] and [0093]; figures 6-7).

As to claim 30, Wood discloses a method of transporting a product via a carrier, wherein the rerouting comprises generating with a computer system an updated transporting instruction that the computer system transmits to at least one point within the carrier's logistics network for performance of transporting the product to the second receiver (page 5, paragraphs [0089] and [0093]).

Referring to claim 31, Wood discloses a method of transporting a product via a carrier, wherein a shipping label associated with the product includes shipping address data indicating a shipping address of the first receiver (page 1, paragraph [0008]).

As to claim 32, Wood discloses a method of transporting a product via a carrier, wherein the sensor stores shipping address data for the first receiver and the second receiver (page 1, paragraph [0008]; page 5, paragraph [0089]).

Referring to claim 43, Wood discloses a method of transporting a product via a carrier, wherein the determining is performed by the sensor to produce determination data that is captured during the reading step (Blocks 577, 575, and 576 in figure 6; page 5, paragraphs [0089] and [0093]).

As to claim 44, Wood discloses a method of transporting a product via a carrier, wherein the sensor generates time data and stores product environment data in association with the time data to indicate the time of sensing the environmental condition (page 1, paragraph [0008]).

Referring to claim 49, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises a radio-frequency identification (RFID) sensor tag, and a scanner performs the reading step by transmitting and receiving radio frequency signals from the tag

(page 1, paragraphs [0007] and [0009]; page 2, paragraphs [0014] and [0016]; page 4, paragraphs [0078]).

As to claim 50, Wood discloses a method of transporting a product via a carrier, wherein the sensor is placed inside a container used for holding the product during transport (page 4, paragraph [0075]; figure 5).

Referring to claim 51, Wood discloses a method of transporting a product via a carrier, wherein the sensor is affixed to an outer surface of a container used for holding the product during transport (page 4, paragraph [0074]; figure 4).

As to claim 52, Wood discloses a method of transporting a product via a carrier, wherein the sensor is positioned on the product which is inside of a container used for holding the product (page 4, paragraph [0073]; figure 3).

Referring to claim 53, Wood discloses a method of transporting a product via a carrier, wherein the environmental condition sensed by the sensor to generate the product environment data includes at least one of temperature, pressure, vacuum, vibration, shock, humidity, moisture, light, air, and a chemical (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 54, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises a temperature sensor, and the product environment data generated by the temperature sensor comprises at least one measurement of a temperature level to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 55, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises a pressure sensor, and the product environment data generated by the pressure sensor comprises at least one measurement of a pressure level to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 56, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises a vacuum sensor, and the product environment data generated by the vacuum sensor comprises at least one measurement of a vacuum level to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 57, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises a light sensor, and the product environment data generated by the light sensor comprises at least one measurement of an amount of light to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 58, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises a chemical sensor, and the product environment data generated by the chemical sensor comprises at least one measurement of an amount of a known chemical to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 59, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises an air sensor, and the product environment data generated by the air sensor comprises at least one measurement of an amount of air to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 60, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises a vibration sensor, and the product environment data generated by the vibration sensor comprises at least one measurement of an amount of vibration to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 61, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises a shock sensor, and the product environment data generated by the shock sensor comprises at least one measurement of an amount of shock to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

As to claim 62, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises a humidity sensor, and the product environment data generated by the humidity sensor comprises at least one measurement of an amount of humidity to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 63, Wood discloses a method of transporting a product via a carrier, wherein the sensor comprises a moisture sensor, and the product environment data generated by the moisture sensor comprises at least one measurement of an amount of moisture to which the product has been exposed (page 1, paragraph [0012]; page 2, paragraph [0017]; page 7, 1st col., lines 1-5).

Referring to claim 67, Wood discloses a method of transporting a product via a carrier, the method comprising:

physically associating an environmental sensor with the product (page 1, paragraph [0008]);

reading product environment data from the environmental sensor at one or more locations within the carrier's logistics network, the product environment data having been recorded by the environmental sensor during transport (page 5, paragraphs [0089] and [0093]; figures 6-7);

receiving the product environment data in association with product identification data at a computer system (page 1, paragraph [0008]);

storing the product environment data in association with the product identification data in a database portion of the computer system (690 in figure 7);

receiving tracking data in association with the product identification data at the computer system, the tracking data identifying when and where at least one scanning of the product was performed within the carrier's logistics network (page 5, paragraphs [0089] and [0093]); and

storing the tracking data in association with the product identification data and the product environment data in the database portion of the computer system (page 5, paragraphs [0089] and [0093]).

Referring to claim 69, Wood discloses a method of transporting a product via a carrier, wherein the product identification data is identified in a printed medium attached to the product (page 4, paragraph [0078]; figure 4).

As to claim 70, Wood discloses a method of transporting a product via a carrier, wherein the printed medium comprises a shipping label (page 4, paragraph [0078]; figure 4).

Referring to claim 71, Wood discloses a method of transporting a product via a carrier, wherein the product identification data is identified by a shipping label attached to a container enclosing the product (page 4, paragraph [0078]; figure 4).

As to claim 72, Wood discloses a method of transporting a product via a carrier, wherein the product identification data is stored in the sensor and read by a scanner to identify the contained product (page 4, paragraph [0078]; figure 4).

Referring to claim 73, Wood discloses a method of transporting a product via a carrier, further comprising the steps of:

receiving a request from a remote computing device to access information associated with the movement of the product through the carrier's logistics network (page 9, 1st col., lines 1-7); and

responsive to the request, transmitting the product environment data in association with the tracking data for the product to the remote computing device (page 9, 2nd col., lines 15-18).

As to claim 74, Wood discloses a method of transporting a product via a carrier, wherein the request received from the remote computing device comprises user identification data for identifying a user making the request, the method further comprising the step of:

determining whether the user is authorized to access the product environment data based on the user identification data (page 6, paragraph [0096]; page 9, 1st col., lines 1-7); and

selectively transmitting the product environment data to the user, if the determining establishes that the user is authorized to access the product environment data (page 6, paragraph [0096]; page 9, 1st col., lines 1-7).

As to claim 86, Wood discloses a computer-readable medium storing a computer program that can be executed by a computer to:

receive product environment data in association with product identification data, the product environment data having been obtained by reading an environmental sensor associated with a product identified by the product identification data, the reading having taken place at one or more locations within a carrier's logistics network (page 5, paragraphs [0089] and [0093]);

storing the product environment data in association with the product identification data in a database (690 in figure 7);

receiving tracking data in association with the product identification data, the tracking data identifying when and where at least one scanning of the product was performed within the carrier's logistics network (page 5, paragraphs [0089] and [0093]); and

storing the tracking data in association with the product identification data and the product environment data in the database (page 5, paragraphs [0089] and [0093]).

As to claim 88, Wood discloses a computer-readable medium, wherein the computer program can further be executed to:

receive a request from a remote computing device to access information associated with the movement of the product through the carrier's logistics network (page 9, 1st col., lines 1-7); and

responsive to the request, transmit the product environment data in association with the tracking data for the product to the remote computing device (page 9, 2nd col., lines 15-18).

Referring to claim 89, Wood discloses a computer-readable medium, wherein the request received from the remote computing device comprises user identification data for identifying a user making the request, and wherein computer program can further be executed to:

determining whether the user is authorized to access the product environment data based on the user identification data (page 6, paragraph [0096]; page 9, 1st col., lines 1-7); and

selectively transmit the product environment data to the user, if the determining establishes that the user is authorized to access the product environment data (page 6, paragraph [0096]; page 9, 1st col., lines 1-7 and 2nd col., lines 15-18).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-7 and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood as applied to claims 1 and 29 above, and further in view of Easley et al. (US Pub. No. 2005/0073406 A1).

Referring to claims 6-7 and 45-46, Wood discloses a system and a method of transporting a product via a carrier comprising:

an environmental sensor physically associated with a product, the environmental sensor configured to record product environment data during transport of the product through the carrier's logistics network (pages 4-5, paragraphs [0078], [0079], [0080], and [0083]; figure 5);

at least one scanner for reading the product environment data from the sensor at one or more locations within the carrier's logistics network (page 5, paragraph [0093]; figures 6-7); and a computer connected to communicate with the at least one scanner, the computer configured for:

determining, based on the product environment data, whether the environmental condition of the product has transcended a limit during transport;

routing the product through the carrier's logistics network to a first receiver so long as the determining has not established that the environmental condition has transcended the limit; and

rerouting the product through the carrier's logistics network to a second receiver, different from the first receiver, if the determining established that the environmental condition has transcended the limit (page 5, paragraphs [0089] and [0093]; figures 6-7).

Wood does not teach or suggest the sensor comprises a visual indicator comprising at least one light-emitting diode (LED) that illuminates in response to the environment condition to which the product is subjected transcending a limit.

Easley et al. disclose the sensor comprises a visual indicator comprising at least one light-emitting diode (LED) that illuminates in response to the environment condition to which the product is subjected transcending a limit (page 3, paragraph [0048]; page 4, paragraph [0062]).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have applied the sensor as described by Easley et al. reference into the method and system of Wood's reference to monitor the container environment and provide a security alarm to the container visually and/or audibly in detecting breaches in the container integrity.

Response to Arguments

Applicant's arguments filed 8/5/05 have been fully considered but they are not persuasive.

Referring to claims 1 and 29, Applicant argues that "As emphasized above, amended Claim 1 includes the limitations of: routing the product through a carrier's logistics network to a first receiver so long as the environmental condition of the product has not transcended a limit, and rerouting the product through the carrier's logistics network to a second receiver, different from the first receiver, if the environmental condition of the product has transcended the limit. It is respectfully submitted that neither Wood nor any of the other references cited by the Examiner teach or suggest a system that is configured for performing these steps, which occur during transport of the product through a carrier's logistics network."

Wood discloses "Throughout transportation, which may take the form of road, rail, sea or air freight, a localizes sensor located within the same environment as the object measures and may analyze environmental condition (E₁, E₂,...E_n) 578, writing 579 these parameters to the tag chip. These data are read at the end of the transportation process 580 on energizing by a reader/writer and checked 581 against defined environmental criteria, failure 582 leading to rejection 583 or recall by the manufacturer of the object. If compliant 584, delivery of the object is accepted for a further period of storage or sales." On page 5, paragraph [0089], figure 7.

Wood also discloses 'During transport, environmental data measured by sensor S3 is continuously transmitted 679 to the tag chips. A microprocessor associated with the sensor S3 may analyze these data and transmit these, in addition to the raw data, to the tag chips. These data are read 680 for each container on energizing by reader/writer R3 on arrival at the

destination (e.g. a warehouse) and checked for compliance against defined environmental criteria. A further period of storage will now take place if the data pass the compliance check, otherwise the containers will be rejected 683 or recalled to the manufacturer.' On page 5, paragraph [0093].

Thus, Wood discloses those features in Claims 1 and 29.

As to claims 26 and 67, Applicant argues that "Dependent claim 26 provides that the computer is further configured for storing the product environment data in association with tracking data in a database, wherein the tracking data identifies when and where at least one scanning of the product was performed within the carrier's logistic network."

Wood discloses 'A principal advantage of the present invention is the capability of the memory of the RFID tag to store many environmental data items which are written to the memory at various defined points in the manufacturing-distribution-storage process. The memory thereby provides a detailed and ready accessible environmental exposure history. The environmental information could, for example, also include date and time stamps. The memory might also be configured to include a unique serial number stored in encrypted form or in a password protectable part of the memory which uniquely identifies the product. The information could also include basic product information such as the nature of the product and usage information, customer information and distribution information such as the intended product destination.' on page 1, paragraph [0008].

Wood also discloses 'In use, information from block one 102 (i.e. the unique serial number) will generally be used to identify the tag at each stage in a pre-determined process. Environmental data will be transmitted from a separate sensor (not shown) to block three 104,

where it can be stored and accessed by a reader (not shown). These environmental data can be monitored from a localized or centralized workstation and checked against defined criteria.' on page 5, paragraph [0083].

Therefore, Wood discloses those features in Claims 26 and 67.

Referring to claims 69-74, Applicant argues that "For instance, dependent Claim 73 provides the additional steps of: receiving a request from a remote computing device to access information associated with the movement of the product through the carrier's logistics network; and responsive to the request, transmitting the product environment data in association with the tracking data for the product to the remote computing device. Dependent Claim 74, which depends from Claim 73, further provides the steps of: determining whether the user making the request is authorized to access the product environment data based on user identification data received with the request; and selectively transmitting the product environment data to the user, if the determining step establishes that the user is authorized to access the product environment data."

Wood discloses 'A method according to any of claims 82 to 86, comprising communicating with a user-specific network address in the network computer system.' and 'A method according to claim 87, wherein the user-specific network address is selected from the group consisting of a web-site address, an e-mail address and a file transfer protocol address.'

page 9, 1st col., lines 1-7.

Thus, Wood discloses those features above.

As to claims 6-7 and 45-46 dependent from Claims 1 and 29, respectively, Wood discloses the limitations in independent Claims 1 and 29, and Easly discloses limitations in dependent claims 6-7 and 45-46 as described above.

Conclusion

THIS ACTION IS MADE FINAL.

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan M. Le whose telephone number is (571) 272-2276. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Toan Le

October 14, 2005

BRYAN BUI
PRIMARY EXAMINER


10/14/05